

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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NOVARRA MCCALL,

Plaintiff,

v.

AKER PHILADELPHIA SHIPYARD, INC.,

Defendant.

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CIVIL ACTION

No. 15-5742

**ORDER**

**AND NOW**, this 5th day of February, 2016, upon consideration of the Motion by Defendant, Aker Philadelphia Shipyard, Inc., to Dismiss Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. No. 2), the Response in Opposition by Plaintiff, Novarra McCall, and Defendant's Reply thereto, it is hereby **ORDERED** that the Motion is **GRANTED**. Plaintiff's Complaint is **DIMISSED WITHOUT PREJUDICE**. Plaintiff is granted fourteen (14) days from the date of this Order to file an Amended Complaint solely for the purposes of amending the claims which he believes can be cured by way of amendment.

**IT IS FURTHER ORDERED** that Plaintiff's religious and/or national origin discrimination/harassment claims are **DIMISSED WITH PREJUDICE**.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE